

12-06-05 #9 1.28(C) \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Patentee: Ole K. Nilssen
 Application No.: 08/126,706
 Filing Date: 9/23/93
 Patent No.: 5,402,043
 Title: Controlled driven series-resonant ballast

RECEIVED

DEC 09 2005

OFFICE OF PETITIONS

Fee
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

**NOTIFICATION OF ERROR IN PAYMENT OF FEES AS A
 SMALL ENTITY (37 CFR § 1.28(C))**

Filing of Small Entity Statement

1. On or about September 23, 1993 and on October 24, 2002, small entity assertions were filed in this patent.
2. The assertion of small entity status in this application and the payment of fees as a small entity were made in good faith.
3. It has now been discovered that the assertion of small entity status was incorrect on September 30, 2002, and alleged in litigation to be incorrect on December 19, 1994. In an abundance of caution and to eliminate any concern regarding incorrect issue and maintenance fee payments, I am submitting this notification.

Itemization of the Fee(s) Paid as Small Entity

4.

<u>DATE OF FEE PAYMENT</u>	<u>CURRENT FEE AMOUNT FOR NON-SMALL ENTITY</u>	<u>FEE ACTUALLY PAID AS A SMALL ENTITY</u>	<u>AMOUNT OWED</u>
Issue Fee, paid on December 19, 1994	\$ 1,400.00	\$ 585.00	\$ 815.00
Maintenance Fee, 8th Year, paid on September 30, 2002	\$ 2,300.00	\$1,010.00	\$1,290.00

Total Amount Owed: \$2,105.00

12/08/2005 AWONDAF1 00000009 5402043

01 FC:1559

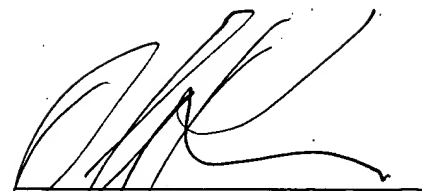
2105.00 OP

Payment

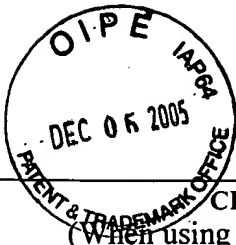
5. The total amount owed is paid as follows:

Attached is a check in the amount of \$2,105.00.

Date: December 2, 2005



Ole K. Nilssen
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CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☒ as "Express Mail Post Office to Addressee"

Mailing Label No. ED 078164917 US (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: DECEMBER 5, 2005

Catherine Winkofsky
Signature

CATHERINE WINKOFSKY
(type or print name of person certifying)

*Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date of any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.